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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/746,984	12/22/2000	Leon Batachia	22097-003	4295

30623 7590 06/23/2005

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ONE FINANCIAL CENTER  
BOSTON, MA 02111

EXAMINER

FELTEN, DANIEL S

ART UNIT	PAPER NUMBER
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3624

DATE MAILED: 06/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**DETAILED ACTION**

***35 CFR § 1.105 Requirement for information.***

1. Applicant and assignee of this application are required under 37 CFR 1.105 to provide the following information that the Examiner has determined is reasonably necessary to the examination of this application:

(1) A copy of any non-patent literature, published application, or patent (U.S. or foreign), by any of the inventors, that relates to the claimed invention that was used in the invention process such as by designing around or providing a solution to accomplish an invention result. In response to this requirement please provide the title, citation and copy of *each* publication that any of the applicants relied upon to develop the disclosed subject matter that describes the applicant's invention, particularly as to developing the features of an offer including dynamically generated price for a product and/or service based upon the perishability of the product and/or service and pushing the offer to a customer via a wireless mobile device.

For each publication, please provide a concise explanation of the reliance placed on that publication in the development of the disclosed subject matter.

(2) A working prototype of the invention that can be tested by the examiner. Is the invention currently available commercially?

In response to this requirement, please provide the names of any products or services that have incorporated the claimed subject matter.

(3) Trade names and providers of any products or services in competition with the invention.

(4) Identification of the true assignees of the current invention.

2. In responding to those requirements that require copies of documents, where the document is bond text or a single article over 50 pages, the requirement may be met by providing copies of those pages that provide the particular subject matter indicated in the requirement, or where such subject matter is not indicated, the subject matter found in applicant's disclosure.

The fee and certification requirements of 37 CFR 1.97 are waived for those documents submitted in reply to this requirement. This waiver extends only to those documents within the scope of the requirement under 37 CFR 1.105 that are included in the applicant's first complete communication responding to this requirement. Any supplemental replies subsequent to the first communication responding to this requirement under 37 CFR 1.105 are subject to the fee and certification requirements of 37 CFR 1.97 appropriate.

The applicant is reminded that the reply to this requirement must be made with candor and good faith under 37 CFR 1.56. Where the applicant does not have or cannot readily obtain an item required information, a statement that the item is unknown or cannot be readily obtained will be accepted as a complete reply to the requirement for that item.

This requirement is subject to the provisions of 37 CFR 1.134 and 1.136 and has a shortened statutory period of 2 months. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136 (a).


*Conclusion*

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel S Felten whose telephone number is (703) 305-0724. The examiner can normally be reached on Flex.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent Millin can be reached on (703) 308-1065. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Daniel S Felten  
Examiner  
Art Unit 3624

  
DSF  
May 25, 2005

VINCENT MILLIN  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 3600

